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LETTER DATED 26 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the following.

The ban on flights by civil aviation in the airspace above Yugoslavia, Bosnia and Herzegovina, Macedonia and Croatia, which has been declared by the North Atlantic Treaty Organization (NATO), is a gross violation of the principle of a State's exclusive sovereignty over the airspace above its territory, as set forth in article 1 of the Chicago Convention on International Civil Aviation.

This ban is nothing less than an illegal act of interference in the activities of civil aviation and a violation of the principles of ensuring the safety of international civil aviation and the freedom of movement of aircraft; these are basic principles of modern civil aviation law. The ban affects the rights not only of the States to which the airspace belongs but also all countries that use that airspace for their international flights.

In point of fact, this ban constitutes a blockade of airspace, a measure which, under Article 41 of the Charter of the United Nations, falls within the exclusive competence of the Security Council.

Such measures call for the active intervention of the International Civil Aviation Organization (ICAO), which is responsible for States' scrupulous fulfilment of their obligations under international civil aviation law.

The Russian Federation has contacted the Secretary-General of ICAO and is confident that he will take all the necessary measures to put an end to these illegal acts and restore the freedom of civil aviation over the territories of the aforementioned countries.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) S. LAVROV

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